

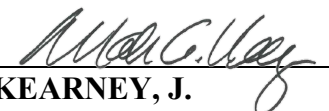
**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

NATIONAL FIRE AND MARINE INSURANCE COMPANY	: : : : : :	CIVIL ACTION  NO. 22-1500
v.		
GENESIS HEALTHCARE, INC.	: :	

**ORDER**

**AND NOW**, this 16<sup>th</sup> day of November 2022, upon considering the parties' cross Motions for summary judgment (ECF Doc. Nos. 64, 86), Oppositions (ECF Doc. Nos. 85, 87), Replies (ECF Doc. Nos. 100, 101), following review of the extensive record with both counsel representing there are no genuine issues of material fact and judgment is warranted as a matter of law, and for reasons in the accompanying memorandum, it is **ORDERED**:

1. Defendant's Motion (ECF Doc. No. 64) is **DENIED**;
2. Plaintiff's amended Motion (ECF Doc. No. 86) is **GRANTED** requiring we enter summary judgment in favor of the Plaintiff and against the Defendant and declare the underlying lawsuits, pre-suit claims and potential claims arise from multiple health care events requiring Defendant satisfy a self-insured retention for each health care event before Plaintiff is obligated to provide coverage and only those underlying lawsuits, pre-suit claims and potential claims and future claims involving the same health care event as those claims, potential claims first reported before December 1, 2020 are considered a claim made or potential claim discovered during the policy period of the Primary Policy;
3. We **DISMISS** Defendant's counterclaim; and,
4. We **DENY** Plaintiff's Motion to preclude testimony (ECF Doc. No. 63) as moot.

  
**KEARNEY, J.**